[Mr. Chairman] [18th March 1960

in our own Legislature, it has been ruled repeatedly that leakage of Budget proposals, even if there was any leakage, is **not a** breach of privilege of the House. It is needless to canvass this first principle. The prevalent view is that until the financial proposals are placed before the House, they are an official secret, but not a privilege of the House.

3-50 p.m. As to the principal involved, what is alleged is a divulgence or leakage of a Cabinet secret. The Cabinet is entitled in its discretion to treat its discussions and decisions as secret until it itself permits their disclosure. But the privilege of secrecy of a Cabinet decision is that of the Cabinet and its protection is its own concern. The secrecy of Cabinet decisions cannot and is not a privilege of the House though the House will be justified in the public interest in its maintenance ; nor is the first disclosure to the Legislature of the Government's taxation proposal included among the recognised privileges. The words ' Privileges of Parliament ' are technical in their import and restricted in their content. They must not be confused with the Functions of Parliament. They have become defined and demarcated by the practice of centuries in England, where it is settled law that no new privilege can be created.

In the circumstances, I rule that no *prima facie* case of breach of privilege exists in the instant case.

## II.—GOVERNMENT MOTIONS.

### (1) CONSTITUTION OF THE RULES COMMITTEE OF THE COUNCIL.

* THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I move—

' That a Committee consisting of the following Members be appointed to make suggestions for the amendment of the Madras Council Rules :—

The Hon. the Chairman.

Sri V. K. Palaniswamy Gounder, Deputy Chairman.

The Hon. Sri R. Venkataraman.

Dr. A. Lakshmanaswami Mudaliar.

Sri V. S. Balasundaram.

Sri M. Patanjali Sastri.

Srimathi Jothi Vencatachellum.

Sri K. Balasubramanya Ayyar.

Sri Mohamed Raza Khan. '

Sir, I am making this motion in pursuance of rule 186 to make suggestions for amending the Madras Council Rules. The Assembly has already adopted various new rules amending the existing rules of procedure. We may also want to bring our rules up-to-date taking into account the experience we have gained in our Council during the last few years.

18th March 1960]

MR. CHAIRMAN : The question is—

'That a Committee consisting of the following Members be appointed to make suggestions for the amendment of the Madras Council Rules :—

The Hon. the Chairman.
Sri V. K. Palaniswamy Gounder, Deputy Chairman.
The Hon. Sri R. Venkataraman.
Dr. A. Lakshmanaswami Mudaliar.
Sri V. S. Balasundaram.
Sri M. Patanjali Sastri.
Srimathi Jothi Venkatachellum.
Sri K. Balasubramanya Ayyar.
Sri Mohamed Raza Khan.'

The motion was put and carried.

MR. CHAIRMAN : Under rule 188 of the Council Rules, I nominate Sri T. S. Sankaranarayana Pillai, a Member of the current Panel of Vice-Chairmen of the Council to be a Member of the Rules Committee.

(2) ELECTION OF ONE MEMBER TO THE BOARD OF INDUSTRIES.

* THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I move—

'That in accordance with section 3 (1) (b) of the Madras State-Aid to Industries Act, 1922 (Madras Act V of 1923), as amended, and rule XXIII (3) of the rules framed under the Act, this Council do proceed on a date to be fixed by the Hon. Chairman to elect one person to be the Council's representative on the Board of Industries Constituted under the Act.

MR. CHAIRMAN : The question is—

'That in accordance with section 3 (1) (b) of the Madras State Aid to Industries Act, 1922 (Madras Act V of 1923), as amended, and rule XXIII (3) of the rules framed under the Act, this Council do proceed on a date to be fixed by the Hon. Chairman to elect one person to be the Council's representative on the Board of Industries constituted under the Act'.

The motion was put and carried.

MR. CHAIRMAN : I have to inform the House that, in accordance with regulation 2 (1) framed for the holding of elections according to the principle of proportional representation by means of the single transferable vote, I fix the following programme for election of one Member to the Board of Industries :—

| | |
|---|---|
| Time and date for the receipt of nominations. | Till 5 p.m. on 21st March 1960. |
| Time and date for the scrutiny of nominations. | 12 noon on 22nd March 1960. |
| Time and date for the withdrawal of nominations. | 5 p.m. on 22nd March 1960. |
| Poll, if necessary .. .. .. .. | Between 11 a.m. and 1 p.m. on 25th March 1960. |

Nomination forms can be had from the Secretary to the Council.